

the legislature, or some other system devised by the legislature is to become the general uniform system of the State. The amendment asks the house to adopt a proposition which contemplates passing a system of uniform education by the legislature, and if you adopt it you necessarily ignore the proposition of the first section, which contemplates a system to be reported by the general superintendent. So that the proposition has far greater objects in view than those suggested by the honorable gentleman who moved it. The effect of it will be to nullify all that the house has already passed in adopting the first section.

The PRESIDENT. The amendment is the very opposite to what the gentleman from Baltimore county (Mr. Ridgely) supposes.—The amendment contemplates the report being made by the superintendent and the adoption of the report by the legislature.

Mr. PURNELL. Certainly.

Mr. RIDGELY. If not adopted by the legislature then the first section fails. It speaks of a system to be adopted by the legislature. The first section contemplates that the system shall exist whether adopted by the legislature or not. The amendment contemplates only a system adopted by the legislature.

Mr. CUSHING. I think the motion of the gentleman from Worcester (Mr. Purnell) will include the cutting out of the report the third and fourth sections.

Mr. HEBB. On the second reading of the report, can we act upon two sections at the same time?

The PRESIDENT. Not strictly. The gentleman can accomplish his purpose by moving to strike out the second section now, and inserting what he has proposed, and afterwards, if that amendment prevails, moving to strike out the fifth section.

Mr. PURNELL withdrew the motion to strike out the fifth section, in accordance with the suggestion of the president.

Mr. HEBB. I rise to another point of order. Can the section be amended after the house has refused to strike it out?

The PRESIDENT. That case is specially provided for in the 41st rule.

"Rule 41. A motion to strike out and insert shall be deemed indivisible; but the matter proposed to be inserted may be divided, if required, according to the 40th rule. A motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

Mr. CUSHING. That amendment introduces a great change in the section already passed. We established the office of State superintendent and provided a specific salary, to perform a duty which I understand by this amendment is to be left at the discretion of the board of education.

Mr. PURNELL. No, sir.

The PRESIDENT. The State superintendent, on the plan being adopted by the legislature, proposes to the board of education duties to be performed. It does not interfere with the city of Baltimore.

Mr. CUSHING. Will the amendment diminish the number of officers to be appointed under the school system, or increase it?

Mr. PURNELL. It will increase it.

Mr. CUSHING. I had thought that the feeling of the house this morning was that one possible objection to the report of the committee was its increase of officers; but the gentleman from Worcester proposes to strike out the officers reported by the committee, and still further to increase the number as a measure of economy. I judge that the reason of that proposition is that the various conflicting views and opinions of the different counties, with reference to their present school system, may be harmonized; a thing which legislatures of Maryland have dealt with before, and have uniformly failed to harmonize, and have adjourned not having accomplished the will of the people with reference to the system of common school instruction. There is no session of the legislature of Maryland long enough to accomplish such a result.

The whole object that is in view in this report of the committee, to necessitate the legislature either to provide a uniform system for the State, or else to take the responsibility of accepting the report made by the State superintendent, will be entirely destroyed by this proposed amendment, offered by the gentleman from Worcester (Mr. Purnell.) After having dealt with the subject, by means of which we propose to necessitate action on the part of the legislature, I trust we will not come to a conclusion that leaves the subject open exactly as we found it before the committee made their report, and with as little probability of our reaching any conclusion.

I think it is well and advisable for members of the convention to look that matter right in the face. I consider it simply to involve the question whether or not we shall have within any reasonable time, any system of free common school education. We leave it simply to the discretion of the legislature of Maryland, with all the conflicting interests of the different counties, wedded to their present systems, some of them, with some of their systems extremely imperfect, and no desire that they be made more perfect, with a system of education costing a great deal of money and not attaining any good result, a system to which no inhabitant of Maryland can point with any pride or any pleasure, the results of which in the industrial wealth of the State are not displayed in such figures in the census books as would enable any son of Maryland to appeal to them with satisfaction, as the evidence of a system which has elevated the community.

I think gentlemen are not aware how much